

# **VILLAGE OF BARRINGTON HILLS**

## **Minutes of the Regular Meeting July 23, 2007**

President Abboud called the Regular Meeting to order at 6:35 pm. Roll Call.

### Present

Robert G. Abboud, President  
Fritz H. Gohl, Pro-Tem  
Beth Mallen, Trustee  
\*George L. Schueppert, Trustee  
Julie McKevitt, Trustee  
Walter E. Smithe, Trustee  
Douglas Wambach, Village Attorney  
Robert Kosin, Director of Administration  
Michael Murphy, Police Chief  
Elaine Ramesh, Village Clerk

### Guests

Bruce Pfaff, resident  
Pam Cools, resident  
Kathy Soeder, resident  
Ted Singer, resident  
Marty Robins, resident  
Jack Palmer, resident

Trustee Smithe motioned to adjourn to Executive Session to discuss pending litigation, a personnel matter and a real estate matter at 6:36 pm. Trustee McKevitt seconded. Roll Call.

Ayes: 5 (Mallen, McKevitt, Smithe, Gohl, Abboud)

Nays: 0

Absent: 2 (Schueppert, Knoop)

**Meeting Adjourned**

## **EXECUTIVE SESSION**

## **PUBLIC SESSION**

President Abboud called the Public Session to order at 7:59 pm.

\* Trustee Schueppert arrived at 6:40 pm

## **MINUTES**

Trustee Gohl motioned to approve the minutes of the Regular Meeting of June 25, 2007 with certain corrections. Trustee McKevitt seconded. All present said aye.

### **Motion Approved**

Trustee Gohl motioned to approve the minutes of the Executive Session of June 25, 2007. Trustee Schueppert seconded. All present said aye.

### **Motion Approved**

Trustee Gohl motioned to approve the minutes of the Special Meeting of June 19, 2007. Trustee Schueppert seconded. All present said aye except Trustee Smithe, who abstained.

### **Motion Approved**

Trustee Gohl motioned to approve destruction of the audio recording of the executive session of the Village Board meeting of August 22, 2005. The minutes of this executive session had previously been approved. Trustee McKevitt seconded. All present said aye except Trustees Smithe and Schueppert, who voted against the motion.

### **Motion Approved**

Trustee Gohl motioned to approve destruction of the audio recording of the executive session of the Village Board meeting of October 24, 2005. The minutes of this executive session had previously been approved. Trustee McKevitt seconded. All present said aye except Trustees Smithe and Schueppert, who voted against the motion.

### **Motion Approved**

## **PUBLIC COMMENTS**

President Abboud opened a thirty-five minute session for public comments at 8:05 pm.

Three Lakes Rd. resident Bruce Pfaff described the twenty-four-hour-a-day noise and light nuisances that his neighbor's fountain has created. Mr. Pfaff indicated that the fountain (which is 200 ft. from the neighbor's property line) is always on; it is illuminated at night and shoots water 40 ft. in the air. Mr. Pfaff informed the Board that he has drafted a fountain ordinance for the ZBA's consideration to avoid such circumstances in the future; but that the ZBA has not yet reviewed it. President Abboud replied that the ZBA has a large number of issues to address and that they are doing their best to handle the workload, and have even scheduled extra meetings in an effort to catch up.

There are many categories of nuisances created which may burden a Barrington Hills property as a result of activities, alteration of terrain, lack of maintenance, added features or other enjoyment of a neighboring property. President Abboud requested that Mr. Kosin compile a list of such nuisances for the Board, based upon complaints received at the Village Hall or by the Police Department. If the nuisance at one residence rises to the level of burdening the neighboring residence to the extent that property value of the burdened residence is reduced, governmental intervention in the form of regulation may be warranted. President Abboud requested that the Trustees consider the matter of what additional regulation may be desirable, taking into account the proportional reduction in personal liberty that additional regulation might create. The Trustees were also asked to consider whether or not a noise ordinance was necessary.

As there were no further remarks, the public comments session ended at 8:35 pm.

#### **FINANCE – Walter E. Smithe**

Treasurer's Report – Trustee Smithe presented the Treasurer's report for the month of June, 2007. Trustee Smithe motioned to accept the Treasurer's report as presented. Trustee Schueppert seconded. All present said aye.

#### **Motion Approved**

Police Pension Board Report – Trustee Smithe motioned to accept the financial report of the Police Pension Board through June 2007 and the year-to-date summary of activity as presented. Trustee Gohl seconded. All present said aye.

#### **Motion Approved**

Presentation of Bills – Trustee Smithe motioned to approve the payment of the bills for the month of July to date of \$235,571.30 and supplemental bills of \$52,286.96 for a total of \$287,858.26. Trustee Mallen seconded. Roll Call.

Ayes: 6 (Mallen, Schueppert, McKevitt, Smithe, Gohl, Abboud)  
Nays: 0  
Absent: 1 (Knoop)

#### **Motion Approved**

Trustee Smithe reported that the Finance Committee met July 17 regarding internal controls for the dispersal of the Village's funds upon the recommendation of Virchow, Krause & Co. Segregation of duties of the Treasurer's control over assets and documentation of procedures have been initiated. He also reported that the Village

Treasurer is considering new municipal accounting software; and that the budget worksheets for 2008 will be distributed at the next Board meeting.

Overtime Reports – Trustee Smithe motioned to approve \$ 5,939.77 in overtime expenses for June 1 through 15, 2007 and \$ 7,965.05 for June 16 through 30, 2007. The reasons for the overtime expenses were discussed. Trustee McKevitt seconded. Roll Call.

Ayes: 6 (Mallen, Schueppert, McKevitt, Smithe, Gohl, Abboud)

Nays: 0

Absent: 1 (Knoop)

**Motion Approved**

Communications Committee – Trustee Smithe reported that the committee didn't meet this month. The next 50<sup>th</sup> anniversary event will be on Aug. 6<sup>th</sup>; family day at Barrington Hills Country Club.

**ROADS AND BRIDGES – Julie McKevitt**

Monthly Report – Trustee McKevitt indicated that Cook County and Johnson Paving have finished the patching on Bateman Rd.; and that the striping work had been finished on Bateman, Plum Tree & Ridge Rds. She also reported that roadside mowing of 22 miles of Village roads had already been completed. However, tree branches and brush continue to overhang and impinge upon the roads and also cover road signs. Algonquin Township's hammer knife brush cutter may be useful to combat the overgrowth. President Abboud suggested that the work orders received by the Police Department for the past 3-5 years be reviewed to determine the locations of persistent problems of this nature.

Trustee McKevitt also reported that drainage issues and water run-off represent a growing problem in the Village. The southeast sector of the Village may be particularly affected. President Abboud requested that the Village Engineers consider this issue for the Village as a whole; and suggested that Gewalt Hamilton be asked to provide the Board a quote for the cost of either a new survey or an update of previous studies.

MFT 2006 Resolution – Trustee McKevitt motioned to approve Resolution 07-12 regarding authorization of a supplemental amount of \$10,937.53 for replacement of culverts, ditch improvements and other drainage improvements from the municipality's allotment of Motor Fuel Tax funds. Trustee Smithe seconded. Roll Call.

Ayes: 6 (Mallen, Schueppert, McKevitt, Smithe, Gohl, Abboud)

Nays: 0

Absent: 1 (Knoop)

**Resolution 07-12 Approved**

McHenry County Transportation Funding Resolution – Trustee McKevitt motioned to approve Resolution 07-13 regarding the restoration of funding from the state of Illinois for the Algonquin Western bypass, with a correction. Trustee Mallen seconded. All present said aye.

### **Resolution 07-13 Approved**

Equestrian Commission – Trustee McKevitt indicated that the Commission was considering an issue in the Spring Creek Forest Preserve with respect to the possibility of mountain biking in the Preserve, as the presence of mountain bikers is a safety issue for riders on the equestrian trails. President Abboud pointed out that the Village already accommodates a large number of recreational bicyclists on the Village roads.

### **PLANNING – Steven E. Knoop**

Monthly Report – Trustee Smithe presented the report in Trustee Knoop's absence. Trustee Smithe reported that the developer of the Flint Creek Reserve commercial development has requested a continuation of their public hearing from the Plan Commission meeting of April 9, 2007 in order to further address certain issues.

Development Committee – Trustee Smithe reported that some new committee appointments will be made in the coming months.

Flint Creek Commercial Reserve – Potential traffic signal and road improvements for the Flint Creek Commercial development along new Hart Road were presented for the Board's consideration. The developer is in the process of completing a more comprehensive and detailed cost analysis of the two access options for Lot 5.

### **PUBLIC SAFETY – Fritz H. Gohl**

Monthly Report – Trustee Gohl deferred to Chief Murphy who presented the Police Report for activity in the month of June 2007. The number of DUI arrests was up for the month in comparison to the number of DUI arrests in June 2006.

Target Shooting Report – The Public Safety Committee met on July 19<sup>th</sup> and took public comments on a potential amendment to the Village's target shooting regulations. A summary of the meeting and comments from residents was provided for the Board's consideration. The existing code was discussed. Comments will be forwarded to Village Attorney who will draft an ordinance for future Board consideration. Mr. Robins, a resident, advocated moving forward on this matter.

## **BUILDING AND ZONING – George L. Schueppert**

Building Permit Report – Trustee Schueppert reported that two building permits had been issued during the month of June 2007; one for an addition and one for an accessory building.

ZBA Report – Trustee Schueppert reported that at the most recent meeting, the ZBA considered several matters in a very long session. Some requested variances were granted, and the ZBA recommended approval of a special use permit to build an artificial pond at 16 Hart Hills Rd. The ZBA will also hold a special meeting on July 31 to discuss a cell tower ordinance and a tree preservation ordinance. The Board discussed the standards for the approval of variances and considered how non-permitted or non-compliant construction could be discovered or monitored while in progress.

Hart Hills Special Use Resolution - Trustee Schueppert motioned to approve Resolution 07-14 regarding approval of a special use permit for an artificial pond at 16 Hart Hills Rd. Trustee Gohl seconded. The ZBA unanimously recommended approval of the permit. Mr. Singer, a neighbor, spoke about the proposal. He indicated that the natural grade of a property in the subdivision was modified to accommodate a large new home, and that this change affected the natural drainage from that property onto adjacent properties. The change has resulted in drainage issues for the neighbors, as it has caused periodic flooding, including flooding of the private access road. President Abboud pointed out that the grading on that property was done before the grading ordinance was adopted, and is an example of why the grading ordinance was necessary. Mr. Singer is concerned that there is no plan to deal with drainage issues and that the additional pond may worsen the drainage issues. Apparently, it was suggested that installation of clay drainage tiles on a neighboring property could help alleviate drainage issues, but Mr. Singer has no confirmation that the neighbor has agreed to add the drainage tiles. Mr. Palmer, also a resident of that area, indicated that the Homeowner's Association planned to install some new drain tiles, but the effect of the new tiles on drainage is not known.

In light of the unresolved issues, Trustee Gohl motioned to table approval of Resolution 07-14 until further information can be obtained. Trustee McKevitt seconded. Trustee Schueppert suggested that the Trustees go to the property in question to review the situation personally. Mr. Kosin will provide detailed maps and pictures regarding the proposal for the Trustees' consideration. The Village Engineer may also be asked to consider the drainage issue again. President Abboud told Mr. Singer and Mr. Palmer that it may be advisable for the applicant and the neighbors to attend the Village Board meeting when the special use permit is reconsidered. All present said aye.

**Resolution 07-14 Tabled**

### **INSURANCE – George L. Schueppert**

Monthly Report – Trustee Schueppert reported that Village's employees are now officially enrolled in the Blue Cross/Blue Shield program. Claims occurring before the switch will continue to be paid by the former provider, Great West. Trustee Schueppert has calculated that the new provider has been engaged at a 38% cost savings, yet the new provider's program has better benefits. Trustee Schueppert thanked Chief Murphy and the Village staff on the Healthcare Committee for their efforts in connection with facilitating the switch.

### **HEALTH, BUILDINGS & GROUNDS, ENVIRONMENT – Beth Mallen**

Strategic Plan for Village Building – Trustee Mallen reported that Village Hall's portico is under construction and that the work should be complete by end of August. Additionally, modifications in the lock-up area are being made in conjunction with the accommodation of the new Livescan equipment. President Abboud requested that a schedule of future improvements be posted for the employee's information.

### **ATTORNEY – Douglas Wambach**

Attorney Wambach stated that matters of litigation had been addressed in Executive Session.

### **ADMINISTRATION – Robert G. Abboud**

President Abboud reported that the Roads and Bridges and Technology Committee will meet with Crown Castle representatives on July 24<sup>th</sup> regarding a Distributive Antenna System.

Trustee McKevitt motioned to adjourn the Public Session at 10:31 pm. Trustee Mallen seconded. All present said aye.

**Meeting Adjourned**

**Approved** \_\_\_\_\_